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E-Filed on 1/30/08

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,

USA Capital Realty Advisors, LLC,

USA Capital Diversified Trust Deed Fund,
LLC,

USA Capital First Trust Deed Fund, LLC,¹

USA Securities, LLC,²

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**STATUS AND AGENDA FOR
FEBRUARY 4, 2008 HEARINGS**

Date of Hearing: February 4, 2008

Time of Hearing: 9:30 a.m.

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

9:30 a.m.

1. Adv. 06-01212, Binford Medical Developers, LLC v. Fidelity National Title Group et al, **STATUS HEARING RE: Amended Complaint** Filed by SUSAN WILLIAMS SCANN on behalf of BINFORD MEDICAL DEVELOPERS, LLC against COMPASS FINANCIAL PARTNERS LLC [DE 80]

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

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1/22/2008

Order Tentatively Approving Settlement and Compromise of Claim [DE 114]

Status:

The Court has asked Binford and Compass to advise on the status of direct lender acceptance of the proposed compromise, which would resolve the matter.

2. **Objection to Claim 784 of BINFORD MEDICAL DEVELOPERS in the amount of** filed by LENARD E. SCHWARTZER on behalf of USA COMMERCIAL MORTGAGE COMPANY [DE 2033]

Opposition Filed:
12/29/2006

Opposition with Certificate of Service Filed by SUSAN WILLIAMS SCANN on behalf of BINFORD MEDICAL DEVELOPERS, LLC [DE 2329]

Reply Filed
1/08/2007

Reply In Support of Objection to Claim 784 of BINFORD MEDICAL DEVELOPERS Filed by LENARD E. SCHWARTZER on behalf of USA COMMERCIAL MORTGAGE COMPANY [DE 2378]

Stipulation Filed:
10/11/2007

Stipulation By USACM LIQUIDATING TRUST and Between Binford Medical Developers *Continuing Hearing on Objection to Claim 784 of Binford Medical Developers* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 4977]

Related Filing:
10/12/2007

Order Approving Stipulation to Continue the Hearing on Objection to Claim 784 of BINFORD MEDICAL DEVELOPERS LLC [DE 4988]

Stipulation Filed:
12/11/2007

Stipulation By USACM LIQUIDATING TRUST and Between Binford Medical Developers *Continuing Hearing on Objection to Claim 784* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5464, 5474]

Related Filing:
12/12/2007

Order Approving Stipulation to Continue the Hearing on Objection to Claim 784 of BINFORD MEDICAL DEVELOPERS, LLC [DE 5479]

1/22/2008

Order Tentatively Approving Settlement and Compromise of Claim [DE 114]

Status:

Continued from 1/11/2008. The Court has asked Binford and Compass to advise on the status of direct lender acceptance of the proposed compromise, which would resolve the claim.

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3. Adv. 06-1212, Binford Medical Developers, LLC et al. v. Fidelity National Title Group et al., **Motion to Approve Settlement And Compromise of Claim** Filed by GEORGANNE W. BRADLEY on behalf of COMPASS FINANCIAL PARTNERS LLC [DE 93]

Response Filed: Response with Certificate of Service to *Motion to Approve Settlement and Compromise of Claims* Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 101]

01/04/2008 Response with Certificate of Service Filed by ARIEL E. STERN on behalf of BINFORD LENDERS, LLC [DE 109]

Related Filing: *Ex Parte Application for Order Shortening Time to Hear Motion to Approve Settlement and Compromise of Claim* Filed by GEORGANNE W. BRADLEY on behalf of COMPASS FINANCIAL PARTNERS LLC [DE 94]

12/18/2007 Order Shortening Time to Hear Motion to Approve Settlement and Compromise of Claim and Notice Thereof [DE 103]

1/22/2008 Order Tentatively Approving Settlement and Compromise of Claim [DE 114]

Status: Continued from 1/11/2008. The Court has asked Binford and Compass to advise on the status of direct lender acceptance of the proposed compromise.

4. **Motion to File Amended Document *Motion for Leave to File Second Amended Objection and Counterclaim (Los Valles)*** Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 5529]

Objection Filed: Objection to Claim 1366 of Los Valles Land & Golf LLC with Certificate of Service filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST [DE 3076]

Stipulation Filed: Stipulation By LOS VALLES LAND & GOLF, LLC and Between USACM Liquidating Trust to *Modify Briefing Schedule for Hearing With Certificate Of Service* Filed by SCOTT D. FLEMING on behalf of LOS VALLES LAND & GOLF, LLC [DE 5574]

Related Filing: Order Approving Stipulated Motion to Modify Briefing Schedule for Hearing Regarding Motion for Leave to File Second Amended Objection and Counterclaim (#5529). The hearing will now be held on February 4, 2008 [DE 5630]

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Status: Continued from 1/24/2008.
1/24/08 Order: Vacating Trial Date; Scheduling Mediation; and Granting the USACM Trust's Motion to Amend in Part [DE 5722]
A Stipulated Order Vacating the February 4, 2008 Hearing on USACFM Trust's Motion for Leave to File Second Amended Objection and Counterclaim was uploaded on January 29, 2008.

DATED: January 30, 2008.

LEWIS AND ROCA LLP

By: /s/ Rob Charles (#6593)
Susan M. Freeman, AZ 4199 (*pro hac vice*)
Rob Charles, NV 6593
Counsel for USACM Liquidating Trust

PROOF OF SERVICE

COPY of the aforementioned sent via e-mail or U.S. First Class Mail on January 30, 2008 to the parties listed on the Post-Effective Official Service List for Limited Notice No. 4 Dated January 8, 2008.

/s/ Christine E. Laurel
Christine E. Laurel
Lewis and Roca LLP